

EXHIBIT B

Gadre, Susmita

From: Miriam Nemeth <miriam@rightsbehindbars.org>
Sent: Monday, September 9, 2024 3:04 PM
To: Rosen, Madison
Cc: William P. Breen, Jr.; Lily Novak; Wish, Benjamin; Gadre, Susmita
Subject: Re: Bristol County Deposition Notices

Bill,

Thank you for some of your email responses today. Can you also please respond to the remaining items in my email below, including dates for a meet-and-confer to discuss deposition dates and the other items below as needed? Thank you.

Sincerely,

Miriam Nemeth

Miriam R. Nemeth

Deputy Litigation Director & Chief Counsel

Rights Behind Bars

www.rightsbehindbars.org

416 Florida Avenue NW, #26152 Washington, DC 20001

Office: (202) 455-4399 | Cell: (860) 965-2330

miriam@rightsbehindbars.org

Pronouns: she/hers

Licensed in DC, New York, and Michigan

On Fri, Sep 6, 2024 at 5:52 PM Miriam Nemeth <miriam@rightsbehindbars.org> wrote:
Bill,

We have not yet heard back from you on alternative deposition dates or on times for the meet and confer that we have requested via email for several weeks now, to cover the following topics:

- Discovery deficiency letter
- Massachusetts mediation statute (specifically re: Plaintiffs' expert disclosures)
- Information about additional custodians
 - (i) for which custodians you do not have access to account; and (ii) when each of those custodians departed from BCHOC?

Please send us available dates and times that are within the next week for that meet and confer to address the above listed topics and the noticed deposition dates. We look forward to receiving your response expediently.

Sincerely,

Miriam Nemeth

Miriam R. Nemeth

Deputy Litigation Director & Chief Counsel

Rights Behind Bars

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416 Florida Avenue NW, #26152 Washington, DC 20001

Office: (202) 455-4399 | Cell: (860) 965-2330

miriam@rightsbehindbars.org

Pronouns: she/hers

Licensed in DC, New York, and Michigan

On Thu, Sep 5, 2024 at 9:09 AM Bader, Madison <mbader@toddweld.com> wrote:

Thanks, Bill. I look forward to hearing the proposed dates tomorrow.

Best,

Madison F. Bader

Todd & Weld LLP

One Federal Street, Boston, MA 02110

Tel: 617.624.4780

www.toddweld.com

On Sep 5, 2024, at 9:07 AM, William P. Breen, Jr. <WBreen@eckertseamans.com> wrote:

Madison,

I have been working on an Appeals Court brief and in trial preparation. My brief is due today and I am still working in client input.

The placeholder dates do not work. I will contact you with propose workable dates tomorrow.

Thanks,

Bill

William P. Breen, Jr.

Member

Eckert Seamans Cherin & Mellott, LLC

2 International PI #1600 | Boston, MA 02110

617-342-6887 | 617-342-6899

WBreen@eckertseamans.com

BIO: VCARD: |

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From: Bader, Madison <mbader@toddweld.com>

Sent: Tuesday, September 3, 2024 3:16:18 PM

To: William P. Breen, Jr. <WBreen@eckertseamans.com>

Cc: oren@rightsbehindbars.org <oren@rightsbehindbars.org>; amaris@rightsbehindbars.org <amaris@rightsbehindbars.org>; Miriam Nemeth <miriam@rightsbehindbars.org>; Lily Novak <lily@rightsbehindbars.org>; Wish, Benjamin <bwish@toddweld.com>; Gadre, Susmita <sgadre@toddweld.com>; Miriam Nemeth <miriam@rightsbehindbars.org>

Subject: [EXTERNAL] RE: Bristol County Deposition Notices

Bill,

We provided the courtesy of initially Noticing these dates flexibly in hopes of working with you and your schedule, but unfortunately have not heard back at all. Please send us a date to meet and confer so that we can get these deposition dates solidified.

Please note that, if we do not hear back from you by Thursday of this week, we will be prepared to move forward on the Noticed dates.

We would like to try to avoid a Motion to Compel and hope to hear from you.

Thank you,

Madison F. Bader

<image001.jpg>

Todd & Weld LLP

One Federal Street, Boston, MA 02110

Tel: 617.624.4780

www.toddweld.com

From: Bader, Madison

Sent: Monday, August 19, 2024 3:12 PM

To: wbreen@eckertseamans.com

Cc: oren@rightsbehindbars.org; amaris@rightsbehindbars.org; Miriam Nemeth
<miriam@rightsbehindbars.org>; Lily Novak <lily@rightsbehindbars.org>; Wish, Benjamin
<bwish@toddweld.com>; Gadre, Susmita <sgadre@toddweld.com>; Miriam Nemeth
<miriam@rightsbehindbars.org>

Subject: Bristol County Deposition Notices

Bill,

Please see the attached. We are well aware of your commitments and September and therefore provided these placeholder dates (as we merely wanted to Notice these depositions).

Can we please set up a call in the next week or so to solidify timing?

Thank you kindly,

Madison F. Bader

<image001.jpg>

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Tel: 617.624.4780

www.toddweld.com

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Gadre, Susmita

From: William P. Breen, Jr. <WBreen@eckertseamans.com>
Sent: Tuesday, September 24, 2024 12:18 PM
To: Wish, Benjamin; Gadre, Susmita; Miriam Nemeth
Cc: Lily Novak; Rosen, Madison
Subject: RE: [EXTERNAL] Re: Bristol County

Importance: High

Hi Ben,

No problem. Unfortunately, I am not available for a call at 4:00 today. I am in a day long mediation tomorrow and probably will have breaks during which I could call you as the mediation unfolds, but if you are planning a multi-party call that may be difficult to plan. How about a call at 4:00 on Thursday?

Bill



William P. Breen, Jr.

Member

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From: Wish, Benjamin <bwish@toddweld.com>
Sent: Tuesday, September 24, 2024 10:17 AM
To: William P. Breen, Jr. <WBreen@eckertseamans.com>; Gadre, Susmita <sgadre@toddweld.com>; Miriam Nemeth <miriam@rightsbehindbars.org>
Cc: Lily Novak <lily@rightsbehindbars.org>; Bader, Madison <mbader@toddweld.com>
Subject: [External] Re: [EXTERNAL] Re: Bristol County

Hi, Bill.

Apologies for the delay. Any chance today at 4 pm works for you?

Ben

Benjamin J. Wish (he/him/his)



Todd & Weld LLP

One Federal Street, Boston, MA 02110

Tel: 617.624.4786 Fax: 617.624.4886

www.toddweld.com

From: William P. Breen, Jr. <WBreen@eckertseamans.com>
Sent: Friday, September 20, 2024 3:04 PM
To: Gadre, Susmita <sgadre@toddweld.com>; Miriam Nemeth <miriam@rightsbehindbars.org>
Cc: Wish, Benjamin <bwish@toddweld.com>; Lily Novak <lily@rightsbehindbars.org>; Bader, Madison <mbader@toddweld.com>
Subject: RE: [EXTERNAL] Re: Bristol County

Hi Susmita,

I have time for a meet and confer on Tuesday afternoon. Looking at the list of items that you wish to discuss, I see only your wish to discuss other records custodians as being an unanswered item. If there are other issues as to which you believe conferring is necessary, please state them so I can be prepared for discussion on Tuesday.

As concerns your clients' Rule 30(b)(6) deposition of my client, I know of no rule requiring that I identify my clients' deposition affiant(s) nearly a month before the deposition. I will not do so.

Respectfully,

Bill



William P. Breen, Jr.

Member

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From: Gadre, Susmita <sgadre@toddweld.com>

Sent: Wednesday, September 18, 2024 10:48 AM

To: Miriam Nemeth <miriam@rightsbehindbars.org>; William P. Breen, Jr. <WBreen@eckertseamans.com>

Cc: Wish, Benjamin <bwish@toddweld.com>; Lily Novak <lily@rightsbehindbars.org>; Bader, Madison <mbader@toddweld.com>

Subject: [External] RE: [EXTERNAL] Re: Bristol County

Hi Bill,

We write to follow up again on these various discussion points and to see when you have time for a meet and confer.

Additionally, please see attached for the 30(b)(6) deposition notice for BCSO. We look forward to seeing you and your client's representatives on October 24, 2024. Please let us know as soon as possible, but no later than September 27, who those representatives will be.

Thanks,
Susmita

Susmita A. Gadre



Todd & Weld LLP

One Federal Street, Boston, MA 02110

Tel: 617.624.4708

www.toddweld.com

From: Miriam Nemeth <miriam@rightsbehindbars.org>
Sent: Tuesday, September 17, 2024 2:14 PM
To: William P. Breen, Jr. <WBreen@eckertseamans.com>
Cc: Gadre, Susmita <sgadre@toddweld.com>; Wish, Benjamin <bwish@toddweld.com>; Lily Novak <lily@rightsbehindbars.org>; Bader, Madison <mbader@toddweld.com>
Subject: Re: [EXTERNAL] Re: Bristol County

Hi Bill,

I'm following up on your email below about getting back to our outstanding questions and concerns yesterday. Can you please circle back on those points and also send us some dates and times for a meet and confer over the next week? Thank you.

Sincerely,

Miriam Nemeth

Miriam R. Nemeth
Deputy Litigation Director & Chief Counsel
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miriam@rightsbehindbars.org
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On Fri, Sep 13, 2024 at 3:58 PM William P. Breen, Jr. <WBreen@eckertseamans.com> wrote:

My pleasure, Miriam. I hope that you have a nice weekend as well.

Bill



William P. Breen, Jr.

Member

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From: Miriam Nemeth <miriam@rightsbehindbars.org>

Sent: Friday, September 13, 2024 3:53 PM

To: William P. Breen, Jr. <WBreen@eckertseamans.com>

Cc: Gadre, Susmita <sgadre@toddweld.com>; Wish, Benjamin <bwish@toddweld.com>; Lily Novak <lily@rightsbehindbars.org>; Bader, Madison <mbader@toddweld.com>

Subject: Re: [EXTERNAL] Re: Bristol County

Bill,

Thank you very much, and have a nice weekend.

Sincerely,

Miriam

Miriam R. Nemeth

Deputy Litigation Director & Chief Counsel

Rights Behind Bars

www.rightsbehindbars.org

416 Florida Avenue NW, #26152 Washington, DC 20001

Office: (202) 455-4399 | Cell: (860) 965-2330

miriam@rightsbehindbars.org

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On Fri, Sep 13, 2024 at 3:49 PM William P. Breen, Jr. <WBreen@eckertseamans.com> wrote:

Miriam,

Former Sheriff Hodgson will appear for deposition on September 30. Confirmed. A trial I started yesterday settled for my client today. I will address your further questions and concerns on Monday.

Bill



William P. Breen, Jr.

Member

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From: Miriam Nemeth <miriam@rightsbehindbars.org>

Sent: Friday, September 13, 2024 3:46 PM

To: William P. Breen, Jr. <WBreen@eckertseamans.com>

Cc: Gadre, Susmita <sgadre@toddweld.com>; Wish, Benjamin <bwish@toddweld.com>; Lily Novak <lily@rightsbehindbars.org>; Bader, Madison <mbader@toddweld.com>

Subject: [EXTERNAL] Re: Bristol County

Hi Bill,

It is nearing the end of Friday, and we have not yet heard from you. Please get back to our inquiries below as soon as possible.

Sincerely,

Miriam Nemeth

Miriam R. Nemeth

Deputy Litigation Director & Chief Counsel

Rights Behind Bars

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Office: (202) 455-4399 | Cell: (860) 965-2330

miriam@rightsbehindbars.org

Pronouns: she/hers

Licensed in DC, New York, and Michigan

On Fri, Sep 13, 2024 at 11:03 AM Miriam Nemeth <miriam@rightsbehindbars.org> wrote:

Bill,

Reminder to please let us know TODAY if the deposition of Sheriff Hodgson will be going forward on 9/30 and the times you're available next week for a meet-and-confer. I look forward to receiving a timely response to this email TODAY; we have been waiting on responses to these inquiries now for several weeks and have provided numerous follow-up emails.

Sincerely,

Miriam

Miriam R. Nemeth

Deputy Litigation Director & Chief Counsel

Rights Behind Bars

www.rightsbehindbars.org

416 Florida Avenue NW, #26152 Washington, DC 20001

Office: (202) 455-4399 | Cell: (860) 965-2330

miriam@rightsbehindbars.org

Pronouns: she/hers

Licensed in DC, New York, and Michigan

On Wed, Sep 11, 2024 at 5:14 PM Miriam Nemeth <miriam@rightsbehindbars.org> wrote:

Bill,

I hope you're doing well and have had the chance to speak with your client. I wanted to follow up on this email chain below. Several of us are traveling to Boston for this deposition, and we need to know as soon as possible whether it will be happening (a fact on which we've relied since you agreed to that date on an earlier call) so that we may book travel. **Please inform us by this Friday if the deposition will be moving forward on that date. Please also send us some dates and times that you are available for a meet-and-confer in the next week or so** concerning the outstanding items about which we have been emailing you, including our discovery deficiency letter and our inquiries about additional custodians.

Thank you very much for your time and attention to this important case.

Sincerely,

Miriam

Miriam R. Nemeth

Deputy Litigation Director & Chief Counsel

Rights Behind Bars

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416 Florida Avenue NW, #26152 Washington, DC 20001

Office: (202) 455-4399 | Cell: (860) 965-2330

miriam@rightsbehindbars.org

Pronouns: she/hers

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On Mon, Sep 9, 2024 at 2:46 PM William P. Breen, Jr. <WBreen@eckertseamans.com> wrote:

Susmita,

The date works on my calendar. I will need to check with the witness. I will let you know what I learn when I learn it.

Bill



William P. Breen, Jr.

Member

Eckert Seamans Cherin & Mellott, LLC
2 International PI #1600 | Boston, MA 02110

📞 617-342-6887 | 📠 617-342-6899

✉️ WBreen@eckertseamans.com

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From: Gadre, Susmita <sgadre@toddweld.com>

Sent: Monday, September 9, 2024 1:28 PM

To: William P. Breen, Jr. <WBreen@eckertseamans.com>; Wish, Benjamin <bwish@toddweld.com>

Cc: Miriam Nemeth <miriam@rightsbehindbars.org>; Lily Novak <lily@rightsbehindbars.org>;

Bader, Madison <mbader@toddweld.com>

Subject: [EXTERNAL] RE: Bristol County

Importance: High

Bill,

We have not heard back from you about Hodgson's deposition dated for Monday, September 30th, which is in three weeks. Please confirm this date at your earliest convenience.

Thanks,
Susmita

Susmita A. Gadre



Todd & Weld LLP
One Federal Street, Boston, MA 02110
Tel: 617.624.4708
www.toddweld.com

From: Gadre, Susmita
Sent: Tuesday, August 13, 2024 10:39 AM
To: William P. Breen, Jr. <WBreen@eckertseamans.com>; Wish, Benjamin <bwish@toddweld.com>
Cc: Miriam Nemeth <miriam@rightsbehindbars.org>; Lily Novak <lily@rightsbehindbars.org>;
Bader, Madison <mbader@toddweld.com>
Subject: RE: Bristol County

Bill,

Please see attached for the updated notice of deposition.

Thanks,
Susmita

Susmita A. Gadre



Todd & Weld LLP
One Federal Street, Boston, MA 02110
Tel: 617.624.4708
www.toddweld.com

From: William P. Breen, Jr. <WBreen@eckertseamans.com>
Sent: Tuesday, July 30, 2024 6:23 PM
To: Wish, Benjamin <bwish@toddweld.com>
Cc: Miriam Nemeth <miriam@rightsbehindbars.org>; Lily Novak <lily@rightsbehindbars.org>;
Gadre, Susmita <sgadre@toddweld.com>; Bader, Madison <mbader@toddweld.com>
Subject: RE: Bristol County

Hi Ben,

No, unfortunately, August 16 does not work for me for the deposition of former Sheriff Hodgson. I can offer you, subject to Sheriff Hodgson's availability, Monday August 26 [one day only] and

September 4 and 30. Please let me know whether any or all of these dates work for you and if so, I will work on getting Sheriff Hodgson for one of these dates.

I begin a jury trial in Connecticut the second week in September and a different two week trial in Massachusetts the third and fourth weeks of September. If either trial cancels, which does not seem likely, I will have additional availability in mid-September. I have scheduling flexibility and could make dates available October 1-3 and 7-10.

Please let me know what dates may work for you and I will check them with Sheriff Hodgson.

Best regards,

Bill Breen



William P. Breen, Jr.

Member

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✉ WBreen@eckertseamans.com

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From: Wish, Benjamin <bwish@toddweld.com>

Sent: Monday, July 29, 2024 10:29 AM

To: William P. Breen, Jr. <WBreen@eckertseamans.com>

Cc: Miriam Nemeth <miriam@rightsbehindbars.org>; Lily Novak <lily@rightsbehindbars.org>;
Gadre, Susmita <sgadre@toddweld.com>; Bader, Madison <mbader@toddweld.com>

Subject: [External] RE: Bristol County

Hi, Bill.

Can you please confirm we are on for August 16 for Sheriff Hodgson's deposition at Todd & Weld?

Thank you.

Ben

From: Wish, Benjamin
Sent: Thursday, July 18, 2024 2:12 PM
To: William P. Breen, Jr. <WBreen@eckertseamans.com>
Cc: Miriam Nemeth <miriam@rightsbehindbars.org>; Lily Novak <lily@rightsbehindbars.org>;
Gadre, Susmita <sgadre@toddweld.com>; Bader, Madison <mbader@toddweld.com>
Subject: Bristol County

Hi, Bill.

Please see the attached. Please let us know right away if this date is not workable for you and the witness.

Thank you.

Ben

Benjamin J. Wish (he/him/his)



Todd & Weld LLP

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www.toddweld.com

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Gadre, Susmita

From: Wish, Benjamin
Sent: Friday, October 18, 2024 2:35 PM
To: William P. Breen, Jr.; Gadre, Susmita; Rosen, Madison
Cc: Lily Novak; Miriam Nemeth
Subject: RE: Pillco-Morocho v. BCSO - Meet & Confer Tomorrow

Bill,

We're on. Does this time still work for you?

Thanks.

From: William P. Breen, Jr. <WBreen@eckertseamans.com>
Sent: Friday, October 18, 2024 10:46 AM
To: Gadre, Susmita <sgadre@toddweld.com>; Bader, Madison <mbader@toddweld.com>
Cc: Wish, Benjamin <bwish@toddweld.com>; Lily Novak <lily@rightsbehindbars.org>; Miriam Nemeth <miriam@rightsbehindbars.org>
Subject: Re: Pillco-Morocho v. BCSO - Meet & Confer Tomorrow

Thank you.



William P. Breen, Jr.

Member

Eckert Seamans Cherin & Mellott, LLC
2 International PI #1600 | Boston, MA 02110

☎ 617-342-6887 | 📠 617-342-6899

✉ WBreen@eckertseamans.com

BIO: 👤 VCARD: 📄 | 🌐 📧 📱

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From: Gadre, Susmita <sgadre@toddweld.com>
Sent: Friday, October 18, 2024 10:45:21 AM
To: William P. Breen, Jr. <WBreen@eckertseamans.com>; Bader, Madison <mbader@toddweld.com>
Cc: Wish, Benjamin <bwish@toddweld.com>; Lily Novak <lily@rightsbehindbars.org>; Miriam Nemeth

<miriam@rightsbehindbars.org>

Subject: [External] RE: Pillco-Morocho v. BCSO - Meet & Confer Tomorrow

Thanks Bill, 2:30 works for us. I will move the calendar invite accordingly.

Susmita A. Gadre



Todd & Weld LLP

One Federal Street, Boston, MA 02110

Tel: 617.624.4708

www.toddweld.com

From: William P. Breen, Jr. <WBreen@eckertseamans.com>

Sent: Friday, October 18, 2024 10:34 AM

To: Bader, Madison <mbader@toddweld.com>

Cc: Wish, Benjamin <bwish@toddweld.com>; Gadre, Susmita <sgadre@toddweld.com>; Lily Novak <lily@rightsbehindbars.org>; Miriam Nemeth <miriam@rightsbehindbars.org>

Subject: RE: Pillco-Morocho v. BCSO - Meet & Confer Tomorrow

Good morning, Madison,

I am not available at 11:00 but could confer at 2:30 or later today if that works for you and your colleagues.

Please let me know.

Thanks!

Bill



William P. Breen, Jr.

Member

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From: Bader, Madison <mbader@toddweld.com>
Sent: Friday, October 18, 2024 10:31 AM
To: William P. Breen, Jr. <WBreen@eckertseamans.com>
Cc: Wish, Benjamin <bwish@toddweld.com>; Gadre, Susmita <sgadre@toddweld.com>; Lily Novak <lily@rightsbehindbars.org>; Miriam Nemeth <miriam@rightsbehindbars.org>
Subject: [EXTERNAL] RE: Pillco-Morocho v. BCSO - Meet & Confer Tomorrow
Importance: High

Bill,

We're looking forward to seeing you at 11am!

In addition to the prior agenda, we also will need to know if you are signing off on the concurrence language in the motion for our clients to attend virtually. I'll add this to the agenda along with any other items you may add.

See you soon,

Madison Bader Rosen



Todd & Weld LLP
One Federal Street, Boston, MA 02110
Tel: 617.624.4780
www.toddweld.com

From: Bader, Madison
Sent: Tuesday, October 15, 2024 12:05 PM
To: William P. Breen, Jr. <WBreen@eckertseamans.com>
Cc: Wish, Benjamin <bwish@toddweld.com>; Gadre, Susmita <sgadre@toddweld.com>; Lily Novak <lily@rightsbehindbars.org>; Miriam Nemeth <miriam@rightsbehindbars.org>
Subject: RE: Pillco-Morocho v. BCSO - Meet & Confer Tomorrow

Good Afternoon Bill,

Below is the agenda for our meet & confer tomorrow; please let me know if you have anything to add:

1. Guaranteed date for Hodgson's deposition continuation to be provided by Bill;
2. Guaranteed date for 30b6 deposition to be provided by Bill;
3. Availability for the 4 witnesses that have been Noticed for their depositions to be provided by Bill, with scheduling to be solidified on the call by Plaintiffs;

4. Date certain provided by Bill re: responses to Plaintiffs' most recent discovery requests (due date of September 30th has passed); and
5. Any responses that Bill has to the charts provided by the Plaintiffs in advance of Mediation.

We look forward to speaking with you and finalizing the above. Please don't hesitate to reach out if you have any matters that you would like to add to this list.

Best,
Madi

Madison Bader Rosen



Todd & Weld LLP

One Federal Street, Boston, MA 02110

Tel: 617.624.4780

www.toddweld.com

From: Gadre, Susmita <sgadre@toddweld.com>

Sent: Tuesday, October 15, 2024 11:17 AM

To: William P. Breen, Jr. <WBreen@eckertseamans.com>

Cc: Wish, Benjamin <bwish@toddweld.com>; Bader, Madison <mbader@toddweld.com>; Lily Novak <lily@rightsbehindbars.org>; Miriam Nemeth <miriam@rightsbehindbars.org>

Subject: Pillco-Morocho v. BCSO - Preliminary Info for Mediation

Hi Bill,

We are attaching with this email a spreadsheet outlining the injuries and preliminary income information for the Plaintiffs, subject to the Massachusetts Mediation Statute. As discussed, this is a first draft and we anticipate that the information will change further with expert reports. Based on our prior discussions, we ask that you review this information as thoroughly as possible prior to our meet and confer tomorrow morning.

Please note we will also want to discuss any outstanding discovery issues, including finalizing dates for the four depositions we have noticed (Souza, Dube, Arsenault, Perez), the 30(b)(6) deposition, and the remainder of Sheriff Hodgson's deposition.

Thanks,
Susmita

Susmita A. Gadre



Todd & Weld LLP

One Federal Street, Boston, MA 02110

Tel: 617.624.4708

www.toddweld.com

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Gadre, Susmita

From: William P. Breen, Jr. <WBreen@eckertseamans.com>
Sent: Thursday, November 14, 2024 2:52 PM
To: Gadre, Susmita; Rosen, Madison
Cc: Wish, Benjamin; Lily Novak; Miriam Nemeth
Subject: Re: Pillco-Morocho v. BCSO - Finalizing Deposition Dates

Susmita,

Yes, schedule for next week looks correct to me. I'm out of town today and tomorrow but will look at dates for Superintendent Souza upon my return.

Bill



William P. Breen, Jr.

Member

Eckert Seamans Cherin & Mellott, LLC
2 International Pl #1600 | Boston, MA 02110

📞 617-342-6887 | 📠 617-342-6899

✉️ WBreen@eckertseamans.com

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From: Gadre, Susmita <sgadre@toddweld.com>
Sent: Thursday, November 14, 2024 1:20:27 PM
To: William P. Breen, Jr. <WBreen@eckertseamans.com>; Rosen, Madison <mrosen@toddweld.com>
Cc: Wish, Benjamin <bwish@toddweld.com>; Lily Novak <lily@rightsbehindbars.org>; Miriam Nemeth <miriam@rightsbehindbars.org>
Subject: [External] RE: Pillco-Morocho v. BCSO - Finalizing Deposition Dates

Hi Bill,

Following our discussion yesterday, can you let us know what dates work for you and Mr. Souza for his deposition?

We also write to confirm the depositions for next week. Please let us know if the below looks accurate, and if you'd like us to send re-notices. We will get the Perez subpoena over to you as well.

- Thursday, 11/21 at 9AM: Dube
- Thursday, 11/21 at 1PM: Perez
- Friday, 11/22 at 9AM: Arsenault-Picard

Thanks,
Susmita

Susmita A. Gadre



Todd & Weld LLP
One Federal Street, Boston, MA 02110
Tel: 617.624.4708
www.toddweld.com

From: Gadre, Susmita

Sent: Tuesday, November 5, 2024 10:17 AM

To: William P. Breen, Jr. <WBreen@eckertseamans.com>; Bader, Madison <mbader@toddweld.com>

Cc: Wish, Benjamin <bwish@toddweld.com>; Lily Novak <lily@rightsbehindbars.org>; Miriam Nemeth <miriam@rightsbehindbars.org>

Subject: RE: Pillco-Morocho v. BCSO - Finalizing Deposition Dates

Hi Bill,

The dates you have given, listed below for ease of reference, work for us. Please confirm they work for you and the deponents.

Can you let us know when in December Mr. Souza is free for his deposition, and where it should take place?

- Wed, Nov. 13: Hodgson Day 2
- Wed, Nov. 20: Dube
- Thu, Nov 21: Perez
- Fri, Nov 22: Arsenault-Picard
- Fri, Dec 20: BCSO 30(b)(6)

Thanks,
Susmita

Susmita A. Gadre



Todd & Weld LLP
One Federal Street, Boston, MA 02110

Tel: 617.624.4708

www.toddweld.com

From: William P. Breen, Jr. <WBreen@eckertseamans.com>

Sent: Monday, November 4, 2024 5:55 PM

To: Bader, Madison <mbader@toddweld.com>

Cc: Wish, Benjamin <bwish@toddweld.com>; Lily Novak <lily@rightsbehindbars.org>; Gadre, Susmita <sgadre@toddweld.com>; Miriam Nemeth <miriam@rightsbehindbars.org>

Subject: RE: Pillco-Morocho v. BCSO - Finalizing Deposition Dates

Madison,

I can confirm the following depositions of BCSO witnesses:

Sheriff Hodgson will appear for the continuation of his deposition November 13, 2024 starting at or after 11:00 a.m.

Officer Arsenault Picard can appear for deposition November 15, though I will need to try to get coverage within my office for this deposition.

Depositions on November 19 are no longer workable for us.

Former Superintendent Souza is *not available* for deposition on November 20. I am informed that he is the primary caregiver for an elderly and ill family member and so he has asked that when his deposition is scheduled that it take place in Bristol County nearer to his home.

Officer Tracey Perez is available to testify on November 21. My afternoon appears to have cleared for November 21 so we will have more time that day if needed.

Miriam had requested that we try to schedule depositions on consecutive days to accommodate her travel schedule, I propose to see if **Captain Dube** and **Officer Arsenault-Picard** could appear for depositions on **November 20 and 22** if you would like me to do so. Please let me know if you are open to doing so.

I am still available to do BCSO's Rule 30(b)(6) deposition on December 20.

Please let me know if you are open to deposing Captain Dube and Officer Arsenault-Picard on November 20 and 22.

Bill



William P. Breen, Jr.

Member

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From: Bader, Madison <mbader@toddweld.com>

Sent: Monday, November 4, 2024 1:15 PM

To: William P. Breen, Jr. <WBreen@eckertseamans.com>

Cc: Wish, Benjamin <bwish@toddweld.com>; Lily Novak <lily@rightsbehindbars.org>; Gadre, Susmita <sgadre@toddweld.com>; Miriam Nemeth <miriam@rightsbehindbars.org>

Subject: [EXTERNAL] RE: Pillco-Morocho v. BCSO - Finalizing Deposition Dates

Importance: High

Bill,

Following up on the deposition dates below. It is my understanding that we were supposed to have confirmation on Friday, so **please confirm today**.

Thank you,

Madison Bader Rosen



Todd & Weld LLP

One Federal Street, Boston, MA 02110

Tel: 617.624.4780

www.toddweld.com

From: Bader, Madison

Sent: Monday, October 21, 2024 1:57 PM

To: William P. Breen, Jr. <WBreen@eckertseamans.com>

Cc: Wish, Benjamin <bwish@toddweld.com>; Lily Novak <lily@rightsbehindbars.org>; Gadre, Susmita <sgadre@toddweld.com>; Miriam Nemeth <miriam@rightsbehindbars.org>

Subject: RE: Pillco-Morocho v. BCSO - Finalizing Deposition Dates

Bill,

Thank you for providing available deposition dates at our Meet & Confer last week. We plan to move forward with the following depositions on the following dates:

Plaintiffs will:

- Take Souza's deposition on November 20th;
- Take Perez's deposition on the morning of November 21st;
- Take the 30b6 deposition on December 20th; and
- Take the depositions of Arsenault & Dube on November 15th or 19th (one date per deponent, either date works for either deponent).

These will all be full-day depositions except for Perez, which we can start at 9am on the 21st due to your morning-only availability that day.

Please confirm by **Friday of this week** that the deponents will appear on the above dates so that we can plan accordingly.

Thank you,

Madison Bader Rosen



Todd & Weld LLP

One Federal Street, Boston, MA 02110

Tel: 617.624.4780

www.toddweld.com

From: William P. Breen, Jr. <WBreen@eckertseamans.com>

Sent: Friday, October 18, 2024 10:46 AM

To: Gadre, Susmita <sgadre@toddweld.com>; Bader, Madison <mbader@toddweld.com>

Cc: Wish, Benjamin <bwish@toddweld.com>; Lily Novak <lily@rightsbehindbars.org>; Miriam Nemeth <miriam@rightsbehindbars.org>

Subject: Re: Pillco-Morocho v. BCSO - Meet & Confer Tomorrow

Thank you.



William P. Breen, Jr.

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Sent: Friday, October 18, 2024 10:45:21 AM

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Cc: Wish, Benjamin <bwish@toddweld.com>; Lily Novak <lily@rightsbehindbars.org>; Miriam Nemeth <miriam@rightsbehindbars.org>

Subject: [External] RE: Pillco-Morocho v. BCSO - Meet & Confer Tomorrow

Thanks Bill, 2:30 works for us. I will move the calendar invite accordingly.

Susmita A. Gadre



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One Federal Street, Boston, MA 02110

Tel: 617.624.4708

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Subject: RE: Pillco-Morocho v. BCSO - Meet & Confer Tomorrow

Good morning, Madison,

I am not available at 11:00 but could confer at 2:30 or later today if that works for you and your colleagues.

Please let me know.

Thanks!

Bill



William P. Breen, Jr.

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Subject: [EXTERNAL] RE: Pillco-Morocho v. BCSO - Meet & Confer Tomorrow

Importance: High

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Madison Bader Rosen



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From: Bader, Madison
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Cc: Wish, Benjamin <bwish@toddweld.com>; Gadre, Susmita <sgadre@toddweld.com>; Lily Novak <lily@rightsbehindbars.org>; Miriam Nemeth <miriam@rightsbehindbars.org>
Subject: RE: Pillco-Morocho v. BCSO - Meet & Confer Tomorrow

Good Afternoon Bill,

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1. Guaranteed date for Hodgson's deposition continuation to be provided by Bill;
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5. Any responses that Bill has to the charts provided by the Plaintiffs in advance of Mediation.

We look forward to speaking with you and finalizing the above. Please don't hesitate to reach out if you have any matters that you would like to add to this list.

Best,
Madi

Madison Bader Rosen



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Sent: Tuesday, October 15, 2024 11:17 AM
To: William P. Breen, Jr. <WBreen@eckertseamans.com>
Cc: Wish, Benjamin <bwish@toddweld.com>; Bader, Madison <mbader@toddweld.com>; Lily Novak

<lily@rightsbehindbars.org>; Miriam Nemeth <miriam@rightsbehindbars.org>

Subject: Pillco-Morocho v. BCSO - Preliminary Info for Mediation

Hi Bill,

We are attaching with this email a spreadsheet outlining the injuries and preliminary income information for the Plaintiffs, subject to the Massachusetts Mediation Statute. As discussed, this is a first draft and we anticipate that the information will change further with expert reports. Based on our prior discussions, we ask that you review this information as thoroughly as possible prior to our meet and confer tomorrow morning.

Please note we will also want to discuss any outstanding discovery issues, including finalizing dates for the four depositions we have noticed (Souza, Dube, Arsenault, Perez), the 30(b)(6) deposition, and the remainder of Sheriff Hodgson's deposition.

Thanks,

Susmita

Susmita A. Gadre



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Tel: 617.624.4708

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Gadre, Susmita

From: William P. Breen, Jr. <WBreen@eckertseamans.com>
Sent: Friday, January 17, 2025 4:53 PM
To: Miriam Nemeth; Rosen, Madison
Cc: Lily Novak; Wish, Benjamin; Gadre, Susmita
Subject: RE: [EXTERNAL] Re: Bill Please Respond - BCSO Deposition Scheduling

Good afternoon, Miriam,

Dates I can offer for depositions of additional BCSO depositions include 1/30, 31; 2/7, 10, 25 and 28; and 3/6 and 7. Please let me know which of these dates work for you and I will verify the availability of witnesses in the order you would like us to produce them. I of course am happy to discuss these dates with you and to provide dates farther out for persons that cannot be deposed within the dates provided.

I will modify the sets of interrogatories to reduce the number of each set to 25 and will circulate them to you in Word. I expect to finish doing so over the weekend. I will circulate a copy of the rpds in Word and I note that the RPDS are the same for each plaintiff.

Have a nice weekend and I will speak with you next week on any additional matters requiring discussion.

Respectfully,

Bill



William P. Breen, Jr.

Member

Eckert Seamans Cherin & Mellott, LLC
2 International PI #1600 | Boston, MA 02110

📞 617-342-6887 | 📠 617-342-6899

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From: Miriam Nemeth <miriam@rightsbehindbars.org>

Sent: Friday, January 17, 2025 1:59 PM

To: Rosen, Madison <mrosen@toddweld.com>

Cc: William P. Breen, Jr. <WBreen@eckertseamans.com>; Lily Novak <lily@rightsbehindbars.org>; Wish, Benjamin <bwish@toddweld.com>; Gadre, Susmita <sgadre@toddweld.com>

Subject: [EXTERNAL] Re: Bill Please Respond - BCSO Deposition Scheduling

Bill,

Reminder to please send us deposition dates today, or we will follow up early next week with unilateral and firm dates and seek to compel those depositions as needed.

I have also attached an additional 15 deposition notices for which we would appreciate dates. We expect that this final round constitutes the bulk of the depositions we plan to take in this case. Please send us dates for these depositions by next week.

Finally, please send us MS Word copies of the discovery requests you served on the 13th and please let us know which 25 of the Interrogatories you would like us to answer for each Plaintiff. If we do not hear back from you on that front, we will answer the first 25 Interrogatories in each document.

Thank you very much for your time and attention to these important matters. Have a nice weekend.

Sincerely,

Miriam

Miriam R. Nemeth

Deputy Litigation Director & Chief Counsel

Rights Behind Bars

www.rightsbehindbars.org

1800 M Street NW Front 1 #33821, Washington, DC 20033

Office: (202) 455-4399 | Cell: (860) 965-2330

miriam@rightsbehindbars.org

Pronouns: she/hers

Licensed in DC, New York, and Michigan

On Wed, Jan 15, 2025 at 2:00 PM Miriam Nemeth <miriam@rightsbehindbars.org> wrote:

Bill,

I am following up on the voicemail I left you on Monday afternoon. It is imperative that we get dates from you for the depositions that we have already noticed by this Friday. If we do not get dates by then, we will have to move forward to notice the depositions on dates that work for our team and compel the deponents' presence if they fail to show. We would certainly rather schedule these depositions in a more collegial manner if possible. But several of these notices have been pending for nearly two months now, and we must get this process moving.

Please send us dates for the pending noticed depositions, for the rescheduled deposition of Mr. Baroody, and for the rescheduled 30(b)(6) deposition by this Friday. Thank you for your time and cooperation.

Sincerely,

Miriam Nemeth

Miriam R. Nemeth

Deputy Litigation Director & Chief Counsel

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miriam@rightsbehindbars.org

Pronouns: she/hers

Licensed in DC, New York, and Michigan

On Thu, Jan 9, 2025 at 1:58 PM Rosen, Madison <mrosen@toddweld.com> wrote:

Bill –

We need to get these dates calendared. We want to collaborate with you and your clients to best accommodate your schedules, so if you could please get back to me today we would appreciate it.

If you prefer we re-notice the depositions without input from you or your clients, please also let me know today so that we can accommodate the tight deadlines on the tracking order.

Thank you,

Madison Bader Rosen



Todd & Weld LLP

One Federal Street, Boston, MA 02110

Tel: 617.624.4780

www.toddweld.com

From: Rosen, Madison

Sent: Wednesday, January 8, 2025 10:59 AM

To: William P. Breen, Jr. <WBreen@eckertseamans.com>

Cc: Miriam Nemeth <miriam@rightsbehindbars.org>; Lily Novak <lily@rightsbehindbars.org>; Wish, Benjamin <bwish@toddweld.com>; Gadre, Susmita <sgadre@toddweld.com>

Subject: RE: Time Sensitive - BCSO Deposition Scheduling

Importance: High

Bill – quick reminder to **please get us the dates** that you and your clients are/are not available **by EOD today** so that we can fit everything in within the tight tracking order deadlines.

Thanks so much,

Madison Bader Rosen



Todd & Weld LLP

One Federal Street, Boston, MA 02110

Tel: 617.624.4780

www.toddweld.com

From: Rosen, Madison
Sent: Monday, January 6, 2025 1:18 PM
To: William P. Breen, Jr. <WBreen@eckertseamans.com>
Cc: Miriam Nemeth <miriam@rightsbehindbars.org>; Lily Novak <lily@rightsbehindbars.org>; Wish, Benjamin <bwish@toddweld.com>; Gadre, Susmita <sgadre@toddweld.com>
Subject: RE: BCSO Deposition Scheduling

Bill,

Happy new year! I hope you had a great holiday.

We've noticed the following individuals for depositions, but don't have calendared dates for any of them as of yet. Keeping in mind the tight deadline on the tracking order, would you please propose 1-2 dates for each individual as soon as possible (by EOD Wednesday at the latest)? In the alternative, if you know dates in the next few weeks that the witnesses are *not* available, we can work around those to select dates that work for us:

- Bruce Assad (special sheriff)
- Chris Goncalves (SRT)
- Douglas Mongeon (SRT)
- Garrett Correria (unit officer)
- Jonathan Allard (K-9)
- Paul Douglas (K-9)
- Andrew Sousa (ICE B unit officer)

Thank you,

Madi

Madison Bader Rosen



Todd & Weld LLP

One Federal Street, Boston, MA 02110

Tel: 617.624.4780

www.toddweld.com

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To ensure compliance with requirements imposed by the U.S. Internal Revenue Service, we inform you that any U.S. tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of avoiding U.S. tax penalties.

Gadre, Susmita

From: Gadre, Susmita
Sent: Friday, February 7, 2025 10:48 AM
To: Lily Novak; William P. Breen, Jr.
Cc: Miriam Nemeth; Wish, Benjamin
Subject: RE: [EXTERNAL] Re: [External] Re: Deposition of Douglas Mungeon
Attachments: 2025 02 03 Deposition Notice of Judy Borges.pdf; 2025 02 03 30(b)(6) Re-Notice Deposition of Bristol County Sheriff's Office.pdf; 2025 02 07 Re-Notice of Deposition of Jonathan Sylvia.pdf; 2025 02 07 Re-Notice of Deposition of Robert Perry.pdf

Hi Bill,

Please see attached for the remaining subpoenas for the dates as discussed previously.

Thanks,
Susmita

Susmita A. Gadre



Todd & Weld LLP
One Federal Street, Boston, MA 02110
Tel: 617.624.4708
www.toddweld.com

From: Gadre, Susmita
Sent: Wednesday, February 5, 2025 3:43 PM
To: Lily Novak <lily@rightsbehindbars.org>; William P. Breen, Jr. <WBreen@eckertseamans.com>
Cc: Miriam Nemeth <miriam@rightsbehindbars.org>; Wish, Benjamin <bwish@toddweld.com>
Subject: RE: [EXTERNAL] Re: [External] Re: Deposition of Douglas Mungeon

Hi Bill,

Please also see the re-notice for Joseph Oliver, dated for this upcoming Monday, February 10.

Thanks,
Susmita

Susmita A. Gadre



Todd & Weld LLP
One Federal Street, Boston, MA 02110

Tel: 617.624.4708

www.toddweld.com

From: Gadre, Susmita

Sent: Tuesday, February 4, 2025 4:03 PM

To: Lily Novak <lily@rightsbehindbars.org>; William P. Breen, Jr. <WBreen@eckertseamans.com>

Cc: Miriam Nemeth <miriam@rightsbehindbars.org>; Wish, Benjamin <bwish@toddweld.com>

Subject: RE: [EXTERNAL] Re: [External] Re: Deposition of Douglas Mungeon

Hi Bill,

Attached herewith is a subpoena for Douglas Mongeon dated for this upcoming Friday, February 7th. Please let us know at your earliest convenience if this date will no longer work for Mr. Mongeon, and once you have confirmed that Monday, February 10th works for Mr. Oliver.

Thanks,
Susmita

Susmita A. Gadre



Todd & Weld LLP

One Federal Street, Boston, MA 02110

Tel: 617.624.4708

www.toddweld.com

From: Lily Novak <lily@rightsbehindbars.org>

Sent: Monday, February 3, 2025 3:14 PM

To: William P. Breen, Jr. <WBreen@eckertseamans.com>

Cc: Gadre, Susmita <sgadre@toddweld.com>; Miriam Nemeth <miriam@rightsbehindbars.org>; Wish, Benjamin <bwish@toddweld.com>

Subject: Re: [EXTERNAL] Re: [External] Re: Deposition of Douglas Mungeon

Thanks, Bill, and I am sorry for your loss.

Totally fine on our end to switch to Mongeon the 7th and Oliver to the 10th. If you can verify with them both for those dates, that would be great. We will send over a subpoena for mongeon for the 7th. For Oliver, is he still a BCSO employee or will you need a subpoena for him as well.

Best,
Lily

On Mon, Feb 3, 2025 at 2:32 PM William P. Breen, Jr. <WBreen@eckertseamans.com> wrote:

Hi Lily,

I am out of town today and tomorrow for a funeral.

I know that Supt. Oliver's deposition cannot take place on 2/7 but he might be available 2/10. Please let me know if you would like him on 2/10 and I will verify his availability. Also, if you would like to depose Mr. Mongeon on 2/7, please let me know and I will see if he can be there then.

Bill



William P. Breen, Jr.

Member

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📞 617-342-6887 | 📠 617-342-6899

✉️ WBreen@eckertseamans.com

BIO: 👤 VCARD: 📄 | 🌐 in 🐦

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From: Lily Novak <lily@rightsbehindbars.org>

Sent: Monday, February 3, 2025 2:00:48 PM

To: William P. Breen, Jr. <WBreen@eckertseamans.com>

Cc: Gadre, Susmita <sgadre@toddweld.com>; Miriam Nemeth <miriam@rightsbehindbars.org>; Wish, Benjamin <bwish@toddweld.com>

Subject: [EXTERNAL] Re: [External] Re: Deposition of Douglas Mungeon

Hi Bill,

One minor change, we'd like to switch Two of the deponents - Perry and Sylvia. Updated schedule below. Looking forward to hearing back from you on these dates.

- 2/7 – Oliver
- 2/10 – Mungeon
- 2/25 – Sylvia
- 2/28 – Perry
- 3/6 – Borges
- 3/7 – 30b6

Best,
Lily

On Mon, Feb 3, 2025 at 10:25 AM Lily Novak <lily@rightsbehindbars.org> wrote:

Hi Bill,

Just following up on (1) whether Mungeon is available 2/10 so we can get that subpoena over to you ASAP and (2) whether you can confirm the rest of these dates, particularly Oliver this Friday, 2/7.

Thank you,
Lily

On Fri, Jan 31, 2025 at 1:47 PM Lily Novak <lily@rightsbehindbars.org> wrote:

Hi Bill,

Thanks for this update. Our team is not available on Feb 6 to depose Mr. Mongeon. We would like to prioritize his deposition during one of the earlier available dates you gave us instead of waiting until the 26th. Can you confirm whether he is available on February 10? If so, we will send over a subpoena for that date ASAP.

Below is the list Susmita sent of the additional folks we'd like to schedule in the open February and March dates you sent earlier this month. Can you confirm which of these deponants are not BCSO employees? We will send subpoenas over for them as well as soon as you confirm these dates. I note that the Oliver date, 2/7, is just a week away, so if you can prioritize confirming with Mr. Oliver so we can make arrangements on our end, that would be extremely helpful.

- 2/7 – Oliver
- 2/10 – Mungeon
- 2/25 – Perry
- 2/28 – Sylvia
- 3/6 – Borges
- 3/7 – 30b6

Thank you,
Lily

On Wed, Jan 29, 2025 at 4:51 PM William P. Breen, Jr. <WBreen@eckertseamans.com> wrote:

Good afternoon, Susmita,

I have just learned that Mr. Mongeon has authorized me to accept a deposition subpoena for his deposition. He has indicated availability for deposition on February 6 if that date works for your group. Additionally, Mr. Mongeon could appear for deposition on February 26, though I would have to move another meeting to accommodate a deposition on that date. Please email me a deposition subpoena for Mr. Mongeon for February 6 (or if need be for February 26) if you wish to go forward then. Please let me know as soon as you are able.

I will speak with the client about the remaining witnesses and dates when I learn when you will depose Mr. Mongeon.

Thanks!

Bill



William P. Breen, Jr.

Member

Eckert Seamans Cherin & Mellott, LLC
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📞 617-342-6887 | 📠 617-342-6899

✉️ WBreen@eckertseamans.com

BIO: 👤 VCARD: 📄 | 🌐 🌐 🌐 🌐

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From: Gadre, Susmita <sgadre@toddweld.com>

Sent: Wednesday, January 29, 2025 2:34 PM

To: William P. Breen, Jr. <WBreen@eckertseamans.com>; Miriam Nemeth <miriam@rightsbehindbars.org>

Cc: Wish, Benjamin <bwish@toddweld.com>; Lily Novak <lily@rightsbehindbars.org>; Rosen, Madison <mrosen@toddweld.com>

Subject: [EXTERNAL] RE: [External] Re: Deposition of Douglas Mungeon

Hi Bill,

Given you have not confirmed tomorrow's deposition with Mr. Mungeon, we will go ahead and cancel that. Do the remaining listed dates work for you and the witnesses?

Can you also please provide available dates for the remaining depositions we have noticed?

- 2/7 – Oliver
- 2/10 – Mungeon
- 2/25 – Perry
- 2/28 – Sylvia
- 3/6 – Borges
- 3/7 – 30b6

Thanks,

Susmita

Susmita A. Gadre



Todd & Weld LLP

One Federal Street, Boston, MA 02110

Tel: 617.624.4708

www.toddweld.com

From: William P. Breen, Jr. <WBreen@eckertseamans.com>

Sent: Wednesday, January 29, 2025 10:19 AM

To: Miriam Nemeth <miriam@rightsbehindbars.org>

Cc: Wish, Benjamin <bwish@toddweld.com>; Lily Novak <lily@rightsbehindbars.org>; Gadre, Susmita <sgadre@toddweld.com>; Rosen, Madison <mrosen@toddweld.com>

Subject: Re: [External] Re: Deposition of Douglas Mungeon

Good morning, Miriam,

Mr. Mungeon no longer works for BCSO. Though we have asked him to appear voluntarily he has informed us that he will require a subpoena to appear for deposition. We have gone back to him to urge him to let us accept a subpoena for him by email as we did with Ms. Perez, we do not yet have his approval. I hope to have a response this morning. I will let you know as soon as I do. Under these circumstances unfortunately we cannot produce him. I am working on this.

If Mr. Mongeon's situation can be worked out promptly, does that affect your order of witnesses? Please let me know and I can get to work on the remaining dates.

Thanks for your patience and understanding.

Bill



William P. Breen, Jr.

Member

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✉️ WBreen@eckertseamans.com

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From: Miriam Nemeth <miriam@rightsbehindbars.org>

Sent: Tuesday, January 28, 2025 2:36:40 PM

To: William P. Breen, Jr. <WBreen@eckertseamans.com>

Cc: Wish, Benjamin <bwish@toddweld.com>; Lily Novak <lily@rightsbehindbars.org>; Gadre, Susmita <sgadre@toddweld.com>; Rosen, Madison <mrosen@toddweld.com>

Subject: [External] Re: Deposition of Douglas Mungeon

Bill,

I wanted to follow up on our call earlier today with our requested allocation for depositions on the dates you've offered so far. Please let us know when more dates become available for our outstanding deposition requests, and please let us know if the dates below work for the proposed deponents.

1/30 – Mungeon

2/7 – Oliver

2/10 – Baroody

2/25 – Perry

2/28 – Sylvia

3/6 – Borges

3/7 – 30b6

Sincerely,

Miriam

Miriam R. Nemeth

Deputy Litigation Director & Chief Counsel

Rights Behind Bars

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miriam@rightsbehindbars.org

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On Mon, Jan 27, 2025 at 4:29 PM William P. Breen, Jr. <WBreen@eckertseamans.com> wrote:

Hi Ben,

Edward at BCSO has been out of the office on vacation and returns tomorrow. Edward is my conduit to client witnesses. I will determine tomorrow as early as I am able whether Mr. Mungeon is available and can appear for deposition on Thursday, January 30 at 10:00 in Boston. I will let you know as soon as I know. Sorry for the delay.

Bill



William P. Breen, Jr.

Member

Eckert Seamans Cherin & Mellott, LLC
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📞 617-342-6887 | 📠 617-342-6899

✉️ WBreen@eckertseamans.com

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From: Wish, Benjamin <bwish@toddweld.com>

Sent: Monday, January 27, 2025 4:03 PM

To: William P. Breen, Jr. <WBreen@eckertseamans.com>

Cc: Miriam Nemeth <miriam@rightsbehindbars.org>; Lily Novak <lily@rightsbehindbars.org>;
Gadre, Susmita <sgadre@toddweld.com>; Rosen, Madison <mrosen@toddweld.com>
Subject: [EXTERNAL] Deposition of Douglas Mungeon

Hi, Bill.

Can we please confirm 1/30 at 10 AM at Todd & Weld for the deposition of Douglas Mungeon?

Thank you.

Ben

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Plenefisch, Elena

From: Miriam Nemeth <miriam@rightsbehindbars.org>
Sent: Friday, March 21, 2025 10:59 AM
To: Ware-Phillips, Jennifer; Plenefisch, Elena
Subject: [EXT] Fwd: Pillco Morocho v. BCSO deposition schedule

Miriam R. Nemeth

Deputy Litigation Director & Chief Counsel

Rights Behind Bars

www.rightsbehindbars.org

1800 M Street NW Front 1 #33821, Washington, DC 20033

Office: (202) 455-4399 | Cell: (860) 965-2330

miriam@rightsbehindbars.org

Pronouns: she/hers

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----- Forwarded message -----

From: Lily Novak <lily@rightsbehindbars.org>
Date: Mon, Feb 10, 2025 at 2:49 PM
Subject: Pillco Morocho v. BCSO deposition schedule
To: William P. Breen, Jr. <WBreen@eckertseamans.com>, <EdwardMeyers@bcso-ma.org>
Cc: Miriam Nemeth <miriam@rightsbehindbars.org>, Wish, Benjamin <bwish@toddweld.com>, Gadre, Susmita <sgadre@toddweld.com>, LaMattina, Liana <llamattina@toddweld.com>

Hi Bill and Edward,

To memorialize what we decided on today at the end of Superintendent Oliver's deposition, we'll be taking the following depositions on the dates you provided in late February and early March:

- 2/25 – Mongeon, Perry, or Douglas
 - you noted likely not Mongeon, as he will have just returned from a vacation
- 2/28 – Mongeon, Perry, or Douglas
 - whoever cannot make 2/25, we'll take on 2/28
- 3/6 – Barody - CONFIRMED

• 3/7 – Borges - CONFIRMED

If you can circle up with Mr. Mongeon, Mr. Perry, and Mr. Douglas, and let us know who you will be producing on 2/25 and 2/28, we will send over subpoenas with the appropriate dates ASAP. I want to make sure we are utilizing all your available times, to be as efficient as possible. If you're able to confirm with Mr. Mongeon, Mr. Perry, and Mr. Douglas today, that would be much appreciated.

Mr. Sylvia has now fallen off the list, since he couldn't make it on 2/25. Can you provide us with dates that work for you to complete his deposition? And can you provide us with one additional date to cover for whomever of Mr. Mongeon, Mr. Perry, and Mr. Douglas does not end up getting scheduled for 2/25 or 2/28?

I'll be back in touch with any addendums to this tomorrow after we meet internally. I hoping we can work together to have this all set before Bill's vacation.

Best,
Lily

--

Lily Novak
Legal Fellow

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1800 M Street NW, Front 1 #33821, Washington, DC 20033

(o) 202.455.4399

she/her

Plenefisch, Elena

From: Miriam Nemeth <miriam@rightsbehindbars.org>
Sent: Friday, March 21, 2025 10:59 AM
To: Ware-Phillips, Jennifer; Plenefisch, Elena
Subject: [EXT] Fwd: Pillco Morocho v. BCSO deposition schedule
Attachments: 2025 02 11 Deposition Notice of Jonathan Baroody.pdf; 2025 02 11 Deposition Notice of Kenneth Almeida.pdf; 2025 02 11 Deposition Notice of Mark Amaral.pdf; 2025 02 11 Deposition Notice of Michael Bettencourt.pdf; 2025 02 11 Deposition Notice of Nelly Floriano.pdf; 2025 02 11 Deposition Notice of Paul Douglas.pdf; 2025 02 11 Deposition Notice of Ryan Isherwood.pdf; 2025 02 11 Re-Notice of Deposition of Jonathan Sylvia.pdf; 2025 02 11 Deposition Notice of Timothy Melo.pdf; 2025 02 11 Deposition Notice of William Dillingham.pdf; 2025 02 11 Re-Notice of Deposition of Robert Perry.pdf; 2025 02 11 Re-Notice of Deposition of Judy Borges.pdf; 2025 02 11 Deposition Notice of Andrew Sousa.pdf; 2025 02 11 Deposition Notice of Brian Pratt.pdf; 2025 02 11 Deposition Notice of Bruce Assad.pdf; 2025 02 11 Deposition Notice of Chris Goncalves.pdf; 2025 02 11 Deposition Notice of Filipe DaSilva.pdf; 2025 02 11 Deposition Notice of Garrett Correia.pdf; 2025 02 11 Deposition Notice of Garrett Soucey.pdf; 2025 02 11 Deposition Notice of Jeremy Carleton.pdf; 2025 02 11 Deposition Notice of Jonathan Allard.pdf

Miriam R. Nemeth

Deputy Litigation Director & Chief Counsel

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miriam@rightsbehindbars.org

Pronouns: she/hers

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----- Forwarded message -----

From: **Miriam Nemeth** <miriam@rightsbehindbars.org>

Date: Tue, Feb 11, 2025 at 5:08 PM

Subject: Re: Pillco Morocho v. BCSO deposition schedule

To: Lily Novak <lily@rightsbehindbars.org>

Cc: William P. Breen, Jr. <WBreen@eckertseamans.com>, <EdwardMeyers@bcso-ma.org>, Wish,

Benjamin <bwish@toddweld.com>, Gadre, Susmita <sgadre@toddweld.com>, LaMattina, Liana <llamattina@toddweld.com>

Bill,

I'd like to follow up on Lily's email below and confirm depositions for the below dates. I have also attached deposition notices for what we believe to be the remainder of the fact depositions Plaintiffs plan to take in this case, as well as the re-notice of depositions for some of the individuals we're discussing below. Please send over additional dates for these depositions as soon as possible. Thank you very much, and have a nice evening.

Sincerely,

Miriam Nemeth

Miriam R. Nemeth

Deputy Litigation Director & Chief Counsel

Rights Behind Bars

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Office: (202) 455-4399 | Cell: (860) 965-2330

miriam@rightsbehindbars.org

Pronouns: she/hers

Licensed in DC, New York, and Michigan

On Mon, Feb 10, 2025 at 2:49 PM Lily Novak <lily@rightsbehindbars.org> wrote:

Hi Bill and Edward,

To memorialize what we decided on today at the end of Superintendent Oliver's deposition, we'll be taking the following depositions on the dates you provided in late February and early March:

- 2/25 – Mongeon, Perry, or Douglas
 - you noted likely not Mongeon, as he will have just returned from a vacation
- 2/28 – Mongeon, Perry, or Douglas
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Lily

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Lily Novak
Legal Fellow

Rights Behind Bars | www.rightsbehindbars.org
1800 M Street NW, Front 1 #33821, Washington, DC 20033

(o) 202.455.4399

she/her

Plenefisch, Elena

From: Miriam Nemeth <miriam@rightsbehindbars.org>
Sent: Friday, March 21, 2025 10:59 AM
To: Plenefisch, Elena; Ware-Phillips, Jennifer
Subject: [EXT] Fwd: Pillco Morocho v. BCSO deposition schedule

Miriam R. Nemeth

Deputy Litigation Director & Chief Counsel

Rights Behind Bars

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miriam@rightsbehindbars.org

Pronouns: she/hers

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From: **Lily Novak** <lily@rightsbehindbars.org>
Date: Thu, Feb 13, 2025 at 11:20 AM
Subject: Re: Pillco Morocho v. BCSO deposition schedule
To: Miriam Nemeth <miriam@rightsbehindbars.org>
Cc: William P. Breen, Jr. <WBreen@eckertseamans.com>, <EdwardMeyers@bcso-ma.org>, Wish, Benjamin <bwish@toddweld.com>, Gadre, Susmita <sgadre@toddweld.com>, LaMattina, Liana <llamattina@toddweld.com>

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Member

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✉️ WBreen@eckertseamans.com

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Attachments: Mongeon Deposition Subpoena.pdf

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To ensure compliance with requirements imposed by the U.S. Internal Revenue Service, we inform you that any U.S. tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of avoiding U.S. tax penalties.

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Hi Bill,

To clarify my follow up email – we would prefer to depose Mr. Douglas on February 28th and appreciate you making all reasonable efforts to contact him. If you are not able to confirm by the end of the day tomorrow, we will assume we are going forward with Lt. Carlton on February 28th.

Additionally, given the notices we sent out this week, can you give us your availability through March 14th for further scheduling? We anticipate some of the depositions will be half days and as such will accommodate multiple deponents in a day.

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Sent: Friday, March 21, 2025 11:01 AM
To: Plenefisch, Elena; Ware-Phillips, Jennifer
Subject: [EXT] Fwd: Confirming Carlton deposition on 2.28 & other deposition logistics
Attachments: 2025.02.19 Deposition Notice of Belinda Bulgar.pdf; 2025.02.19 Deposition Notice of Gregory Nesse.pdf

Miriam R. Nemeth

Deputy Litigation Director & Chief Counsel

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Pronouns: she/hers

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----- Forwarded message -----

From: Lily Novak <lily@rightsbehindbars.org>
Date: Wed, Feb 19, 2025 at 3:51 PM
Subject: Confirming Carlton deposition on 2.28 & other deposition logistics
To: William P. Breen, Jr. <WBreen@eckertseamans.com>, <EdwardMeyers@bcso-ma.org>
Cc: Miriam Nemeth <miriam@rightsbehindbars.org>, Wish, Benjamin <bwish@toddweld.com>, Gadre, Susmita <sgadre@toddweld.com>, LaMattina, Liana <llamattina@toddweld.com>

Dear Bill and Edward,

I'm writing to confirm that we are moving forward with deposing Lt. Jeremy Carlton on February 28, since we didn't hear back from you on Mr. Douglas's availability. We look forward to seeing you and Lt. Carlton at Todd & Weld on the 28th.

We also think that Lt. Carlton's deposition will be a half day. We are hoping we can fit one more deposition in on the 28th, given you are available on that date. Would you be able to produce William Dillingham on the afternoon of 2/28? We note from your Interrogatory responses that Mr. Dillingham is still employed by BCSO, and so we hope he will be one of the easier deponents to produce.

I am also sending over two more deposition notices, for Belinda Bulger and Gregory Nesse, attached.

Additionally, I wanted to follow up on the need to schedule our outstanding noticed depositions. To date, we have been unable to obtain dates from you for the following six deponents, all of whom were noticed three months ago, on November 18, 2024: Bruce Assad, Christopher Goncalves, Garrett Correia, Jonathan Allard, Paul Douglas, and Andrew Sousa. In addition, we need dates for the following twelve deponents, noticed on February 11, 2025: Jonathan Sylvia, Robert Perry, Kenneth Almeida, Mark Amaral, Michael Bettencourt, Nelly Floriano, Ryan Isherwood, Timothy Melo, William Dillingham, Brian Pratt, Felipe DaSilva, Garret Soucey. Finally, as we've been discussing, we still need a date for the 30(b)(6). That's nineteen previously noticed depositions, plus the two sent today, and the four we have scheduled, for a total of twenty-five noticed depositions in the case that we have yet to take.

We included placeholder dates and times in late February and early March on all of our notices served on February 12th and today, and we will be prepared to go forward at the dates and times noticed. However, given that the Court-ordered discovery deadline is in under a month, on March 14th, and the Court has noted in previous orders that it will be very reticent to extend that deadline, **we would like to work with you to prioritize scheduling the most necessary depositions on this list.** To that end, **below please find a proposed schedule from next week through the end of discovery**, which covers only the depositions we consider the most important. We expect the majority of these depositions to be targeted and short. We have included these shorter depositions as half days, and, for many, we do not anticipate they will even take an entire half-day. Dates we have previously confirmed with you are highlighted in yellow.

Please note, we have skipped 2/26 and 2/27, as you previously informed us you were unavailable those days. If this has changed, or if anyone else from your office is available, please let us know as soon as possible. We are available and are happy to take depositions on those days.

- Douglas Mongeon: 2/25 - 10am
- Jeremy Carlton: 2/28 - 9am [Bill, we had set this for 10am, but can we move to 9am to accomodate an afternoon deposition as well?]
- William Dillingham - 2/28 - 1pm [Bill, can you confirm this additional half-day deposition on 2/28. If Dillingham is not available, can you produce any other K-9 officer on this list?]
- Jonathan Sylvia: 3/3 - 10am
- Robert Perry: 3/4 - 10am
- Paul Douglas: 3/5, 9am
- Garret Soucey 3/5, 1pm
- Jonathan Baroody: 3/6 - 10am
- Judy Borges: 3/7 - 10am
- Jonathan Allard: 3/10, 9am
- Chris Goncalves: 3/10 - 1pm
- Ryan Isherwood: 3/11 - 9am
- Nelly Floriano: 3/11 - 1pm
- Kenneth Almeida: 3/12 - 9am
- Felipe DaSilva: 3/12 - 1pm
- Michael Bettencourt: 3/13 - 9am
- Mark Amaral: 3/13 - 1pm
- 30(b)(6) - 3/14 - 9am

If the above does not work for you, we would like to meet and confer with you as soon as possible to see if we can pin down a mutually agreeable schedule for these outstanding depositions and avoid a motion to compel. **Bill, can you please let us know your availability to meet and confer this week or early next week?** We are happy to accommodate your schedule. If we don't hear back from you within a week, we will be forced to move forward with a motion to compel.

Best,
Lily

--

Lily Novak
Legal Fellow

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(o) 202.455.4399

she/her

Plenefisch, Elena

From: Lily Novak <lily@rightsbehindbars.org>
Sent: Monday, February 24, 2025 2:11 PM
To: William P. Breen, Jr.; EdwardMeyers@bcso-ma.org
Cc: Miriam Nemeth (External); Benjamin Wish (External); Susmita Gadre (External); LaMattina Liana(external)
Subject: [EXT] Re: Confirming Carlton deposition on 2.28 & other deposition logistics

Hi Bill and Edward,

Following up here since, per your autoreply, Bill, I think you're back in the office today. Most urgently, can you advise whether it works for you to **move Lt. Carleton's deposition from 10am to 9am on Friday?** And will it be possible to **produce William Dillingham at 1pm on Friday**, so we can take care of two of these outstanding depositions in one day?

On the rest of the scheduling questions, we do not think the deposition of Mr. Mongeon will run for the full day tomorrow, so **we propose meeting and conferring tomorrow afternoon at Todd and Weld, after the deposition is complete.** Does that work for you?

Thank you,
Lily

On Wed, Feb 19, 2025 at 3:51 PM Lily Novak <lily@rightsbehindbars.org> wrote:

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Best,
Lily

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Lily Novak
Legal Fellow

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(o) 202.455.4399

she/her

Plenefisch, Elena

From: Miriam Nemeth <miriam@rightsbehindbars.org>
Sent: Thursday, March 13, 2025 10:19 AM
To: wgreen@eckertseamans.com
Cc: Plenefisch, Elena; EdwardMeyers@bcso-ma.org; Pillco Morocho Team
Subject: [EXT] Re: Re: Pillco Morocho: In anticipation of Monday's Meet & Confer

Bill and Edward,

In anticipation of our meet-and-confer today at 4pm, I wanted to follow up on the items below that you indicated you would send us by Tuesday or Wednesday. To date, we have not received any of those items. As you know, the Court set our deadline for a motion to compel as tomorrow, which we will need to meet if we're unable to get the below materials from you by today.

Please also send us available deposition dates for your clients and witnesses as soon as possible, so we can keep that moving as well.

We look forward to speaking further with you this afternoon.

Sincerely,

Miriam

Miriam R. Nemeth

Deputy Litigation Director & Chief Counsel

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On Mon, Mar 10, 2025 at 7:19 PM Plenefisch, Elena <elena.plenefisch@whitecase.com> wrote:

Dear Bill and Edward,

I'm writing to confirm what we discussed in today's meet and confer regarding the status of outstanding discovery items and the amended complaint. Regarding the items we previously flagged, we discussed the following:

- Written responses to written discovery sets 2 and 3 – Bill stated these will be produced by COB Thursday.
- Documents responsive to all of RFP set 3 and Requests No. 13, 14, and 17 of RFP Set 2 – Bill said he will produce Set 2 documents tomorrow (Tuesday) morning; and he is currently reviewing documents responsive to parts of Set 3 and will produce them by COB Thursday if not sooner. Bill will confirm if he expects to produce more documents responsive to Set 3.
- The following items responsive to Set 1 of RFPs
 - Thirty (39) DVD-R Disks and One (1) DVD-R containing ICE B Phone Calls 04/30/2020 - 05/01/2020 identified on list BCSO000300002 – Edward stated that he will confirm tomorrow if these exist; assuming they exist, we can discuss a protective order if needed to preserve privacy of non-parties.
 - Defendant Hodgson discusses a videotaped SRT briefing that happened behind him and that he did not hear but said was recorded mentioned during Mr. Hodgson's deposition (Hodgson (9/30/24) p. 48 ln 1, p. 135 ln 24, and p. 136 ln 1) – Please confirm that there are no documents responsive to this request
 - Armory logs. Plaintiffs received one page with only a few lines of handwriting on it, but during his deposition Defendant Souza contemplated a more robust log in his deposition. (Souza p.76 lns 7-10) – Please confirm that all documents that exist that are responsive to this request have been produced.
 - During his deposition, Defendant Souza discussed a pandemic protocol procedure document that memorializes testing refusal by detainees (Souza p. 169 lns 1-4) – Edward said he will confirm if this document has already been produced and provide the Bates number, otherwise Bill agreed to produce this by Wednesday with redaction of names of non-parties who were tested.
 - Documents at roll call that were read to officers about COVID-19 testing (Arsenault/Picard Dep. p. 78 ln 9) – Edward stated that this is in the set of documents that Bill is currently reviewing.
 - COVID-19 memorandum/protocol that was in effect (or the most recent version) as of May 1, 2020. During her deposition, Arsenault/Picard noted that these were read every five days, and Plaintiffs have received none of them. (Arsenault/Picard p. 266 ln 7) – Edward stated that this is in the set of documents that Bill is currently reviewing.
- The following items that came up during the deposition of Judy Borges on 3/7
 - Policy 12.01.00 setting out Ms. Borges's duties (we understand you said you were producing this, but we haven't seen it come through). – Edward said this was uploaded to the policies folder; we will confirm that we are able to view it.
 - Written contract with CPS in effect on May 1, 2020 – Edward stated that this is in the set of documents that Bill is currently reviewing.

Additionally, we discussed that we are expecting to add approximately 22 defendants in the Second Amended Complaint. We will attempt to provide a list of added defendants and counts as soon as possible, hopefully tomorrow or Wednesday. Thank you for your agreement to contact the new defendants and confirm if they will authorize you to accept service on their behalf. We agree that a week is reasonable to be able to contact that number of people, and we reiterate our appreciation for your willingness to waive the requirements of Local Rule 15.1 regarding early service on new defendants and our willingness to work with you on the timeline for your response brief.

Finally, we agreed to reconvene Thursday at 4 to discuss if there is anything further. We will send you a zoom link for that meeting.

Thank you.

Best,

Elena Plenefisch | Associate

Pronouns: She/Her/Hers

T +1 617 979 9346 **M** +1 617 459 7565 **E** elena.plenefisch@whitecase.com

White & Case LLP | 75 State Street | Boston, MA 02109-1814

From: Miriam Nemeth <miriam@rightsbehindbars.org>

Sent: Monday, March 10, 2025 3:37 PM

To: Ware-Phillips, Jennifer <jennifer.ware@whitecase.com>; EdwardMeyers@bcso-ma.org

Cc: wbreen@eckertseamans.com; Lily Novak (External) <lily@rightsbehindbars.org>; LaMattina Liana(external) <llamattina@toddweld.com>; Susmita Gadre (External) <sgadre@toddweld.com>; Benjamin Wish (External) <bwish@toddweld.com>; Plenefisch, Elena <elena.plenefisch@whitecase.com>

Subject: [EXT] Re: Pillco Morocho: In anticipation of Monday's Meet & Confer

Attaching the other deficiency letter.

Miriam R. Nemeth

Deputy Litigation Director & Chief Counsel

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On Sat, Mar 8, 2025 at 3:18 PM Ware-Phillips, Jennifer <jennifer.ware@whitecase.com> wrote:

Mr. Breen,

Per our conversation following yesterday's deposition and in anticipation of our meet & confer on Monday, March 10, at 2pm, this is the outstanding discovery we've been discussing and want to make sure is in one place so you can address it as soon as possible:

- written responses to written discovery sets 2 and 3
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 - Written contract with CPS in effect on May 1, 2020

I have attached a deficiency letter we served in February of 2024 requesting addresses for potential Doe Defendants, which you agreed to provide during meet and confers in January 2024. We will share a list of proposed new defendants with you next week. Please provide their addresses once you have that list.

Also, because Magistrate Judge Kelley has set the deadline for our amended complaint and motion to amend at the end of the coming week, it will not be possible for us to follow the instruction of Local Rule 15.1 and serve the motion to amend on new parties 14 days in advance. We appreciate your willingness to waive this requirement given the short deadlines here, and as discussed, we are willing to work with you on the timeline for your response brief. We will get the amended complaint and motion to amend to you as soon as possible.

Best,

Jennifer

Jennifer Ware-Phillips | Associate

T +1 617 979 9347 M +1 601 731 4275 E jennifer.ware@whitecase.com

White & Case LLP | 75 State Street | Boston, MA 02109-1814

WHITE & CASE

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=====

Plenefisch, Elena

From: Miriam Nemeth <miriam@rightsbehindbars.org>
Sent: Friday, March 21, 2025 11:03 AM
To: Plenefisch, Elena; Ware-Phillips, Jennifer
Subject: [EXT] Fwd: Re: Pillco Morocho: In anticipation of Monday's Meet & Confer

Miriam R. Nemeth

Deputy Litigation Director & Chief Counsel

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Date: Thu, Mar 13, 2025 at 10:18 AM
Subject: Re: Re: Pillco Morocho: In anticipation of Monday's Meet & Confer
To: wgreen@eckertseamans.com <wgreen@eckertseamans.com>
Cc: Plenefisch, Elena <elena.plenefisch@whitecase.com>, EdwardMeyers@bcso-ma.org <EdwardMeyers@bcso-ma.org>, Pillco Morocho Team <PillcoMorochoTeam@listserv.whitecase.com>

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Miriam

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 - Policy 12.01.00 setting out Ms. Borges's duties (we understand you said you were producing this, but we haven't seen it come through).
 - Written contract with CPS in effect on May 1, 2020

I have attached a deficiency letter we served in February of 2024 requesting addresses for potential Doe Defendants, which you agreed to provide during meet and confers in January 2024. We will share a list of proposed new defendants with you next week. Please provide their addresses once you have that list.

Also, because Magistrate Judge Kelley has set the deadline for our amended complaint and motion to amend at the end of the coming week, it will not be possible for us to follow the instruction of Local Rule 15.1 and serve the motion to amend on new parties 14 days in advance. We appreciate your willingness to waive this requirement given the short deadlines here, and as discussed, we are willing to work with you on the timeline for your response brief. We will get the amended complaint and motion to amend to you as soon as possible.

Best,

Jennifer

Jennifer Ware-Phillips | Associate

T +1 617 979 9347 M +1 601 731 4275 E jennifer.ware@whitecase.com

White & Case LLP | 75 State Street | Boston, MA 02109-1814

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Plenefisch, Elena

From: Miriam R. Nemeth <miriam@rightsbehindbars.org>
Sent: Tuesday, March 18, 2025 5:14 PM
To: William P. Breen, Jr.
Cc: Edward Meyers; Pillco Morocho Team
Subject: [EXT] Re: MOROCHO FURTHER COMPLIANCE

Hi Bill,

Following up on the email below. Thanks much.

Miriam

Sent via the Samsung Galaxy S24+, an AT&T 5G smartphone

----- Original message -----

From: Miriam Nemeth <miriam@rightsbehindbars.org>
Date: 3/17/25 3:33 PM (GMT-05:00)
To: "William P. Breen, Jr." <WBreen@eckertseamans.com>
Cc: Edward Meyers <EdwardMeyers@bcso-ma.org>, Pillco Morocho Team
<PillcoMorochoTeam@listserv.whitecase.com>
Subject: Re: MOROCHO FURTHER COMPLIANCE

Bill,

I wanted to follow up on our meet-and-confers from last week and inquire about the status of the written responses and the rest of the production, which I had understood would be forthcoming on Friday (except for the response to RFP #27). Can you let us know your updated timeline? As you know, we're on a bit of a deadline here with the Court that Plaintiffs do need to be prepared to meet by the end of this week. **Can we find some time for a further meet-and-confer on Wednesday or Thursday of this week?** I can be available on Wednesday before 3pm, Thursday from 2-4, or I could also do tomorrow from 2:30-4 if you think your production will be substantially complete by then. Please let me know what works for you asap, so we can hold the time.

I have attached here a draft addendum to the protective order we already have on file that would cover the emergency plans we discussed last week. Please let me know if this draft is amenable to you, and we will get it on file as soon as we have reached agreement.

I also wanted to follow up on a few other outstanding items:

- **deposition dates** for our outstanding depositions--please send over as many dates as you can as soon as possible (this will otherwise need to be part of our motion to compel this week, per the Court's order at Dkt. #131)

- a status update on settlements (including where you stand on and whether you've been able to reach out to our mediation MJ to contact the AG's office).

Thanks very much for your ongoing attention to these time-sensitive matters.

Sincerely,

Miriam Nemeth

Miriam R. Nemeth

Deputy Litigation Director & Chief Counsel

Rights Behind Bars

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miriam@rightsbehindbars.org

Pronouns: she/hers

Licensed in DC, New York, and Michigan

On Thu, Mar 13, 2025 at 4:02 PM William P. Breen, Jr. <WBreen@eckertseamans.com> wrote:

Counsel,

In anticipation of our discussion today, I make the following response:

- the following items responsive to Set 1 of RFPs
 - Thirty (39) DVD-R Disks and One (1) DVD-R containing ICE B Phone Calls 04/30/2020 - 05/01/2020 identified on list BCSO000300002

We have searched for responsive DVDs and do not have any that have not been provided to you previously. We do not have a DVD of recorded telephone calls. Transcriptions of the

telephone calls involving your clients are produced with documents uploaded or to be uploaded today.

- Defendant Hodgson discusses a videotaped SRT briefing that happened behind him and that he did not hear but said was recorded mentioned during Mr. Hodgson's deposition (Hodgson (9/30/24) p. 48 ln 1, p. 135 ln 24, and p. 136 ln 1)

We have searched for such a videotape and can find none within our possession and control.

- Armory logs. Plaintiffs received one page with only a few lines of handwriting on it, but during his deposition Defendant Souza contemplated a more robust log in his deposition. (Souza p.76 lns 7-10)

We have produced the armory log to you previously. There is nothing more that is responsive to produce.

- During his deposition, Defendant Souza discussed a pandemic protocol procedure document that memorializes testing refusal by detainees (Souza p. 169 lns 1-4).

We have searched and have produced responsive documents concerning pandemic protocols and produced responsive documents, including some produced or to be produced to you today.

- Documents at roll call that were read to officers about COVID-19 testing (Arsenault/Picard Dep. p. 78 ln 9)

We have searched and have produced responsive documents concerning pandemic protocols and produced responsive documents, including some produced or to be produced to you today.

- COVID-19 memorandum/protocol that was in effect (or the most recent version) as of May 1, 2020. During her deposition, Arsenault/Picard noted that these were read every five days, and Plaintiffs have received none of them. (Arsenault/Picard p. 266 ln 7).

We have searched and have produced or will produce responsive documents today.

- the following items that came up during the deposition of Judy Borges on 3/7
 - Policy 12.01.00 setting out Ms. Borges's duties (we understand you said you were producing this, but we haven't seen it come through).

This has been produced to you.

- Written contract with CPS in effect on May 1, 2020.

We have searched and have produced or will produce responsive documents today.

I am joining our Conference presently and will discuss remaining issues with you there.

Bill



William P. Breen, Jr.

Member

Eckert Seamans Cherin & Mellott, LLC
2 International PI #1600 | Boston, MA 02110

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WBreen@eckertseamans.com

BIO: VCARD: |

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